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C O N F I D E N T I A L SECTION 01 OF 02 HAVANA 000806

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SUBJECT: CLOUD OF UNCERTAINTY HANGS OVER CHAVIANO RELEASE

Classified By: COM: Michael E. Parmly: For reasons 1.4 b/d

¶1. (C) SUMMARY: Released after 13 years in prison, Francisco Chaviano, a prominent Cuban opposition figure, wants to remain in Cuba to continue his work after seeking urgently needed medical care in the U.S. However, Cuban authorities have still not spelled out the conditions of his release. He expects that they will do so on August 24, when he meets with them. END SUMMARY.

¶2. (SBU) Chaviano immediately made clear during a visit to his home on 8/16 by COM and USINT Human Rights Officer that he was committed to prison. Chaviano, a mathematician, was accused of revealing state secrets, a charge he firmly denies, due to his work in trying to quantify the number of deaths of Cubans attempting to flee by boat in the Florida straits. He is the founder and president of the dissident organization, the National Council for Civil Rights (Consejo Nacional de Derechos Civicos).

¶3. (C) Despite coping in prison for years, with the food barely adequate for subsistence level, the rats and insects, the stifling heat and humidity, the isolation, and the many nights sleeping on the floor, Chaviano showed no signs of tension in his facial muscles and posture. He talked in a relaxed manner and often smiled and joked. His complexion and overall appearance showed no outward signs that he faces serious health problems. His wife was effusive in her gratitude for USINT and USG support over the years. (A CNN cameraman arrived at the house seeking footage of Chaviano at home and walking around his property. Chaviano welcomed being photographed with USINT staff.)

¶4. (C) Chaviano met with GOC officials on 8/14. He read to us given to him at that time from a paper that was very vague regarding what was expected from him. The document stated that the release was due to "extraordinary circumstances". The official paper claimed he had been an uncooperative prisoner (which could be used as a reason for denying him future clemency). The document did not contain any conditions around his release. Chaviano expects that the judge will stipulate these on 8/24. Officials had repeatedly told him that he would be released in May due to a standard deduction for "stable behavior" routinely granted based on time served. That date came and went without any indication of imminent release. Now, the court has informed him that there remain 242 days left to his sentence, a clear threat to get him to

comply with conditions of his release whenever the Cuban government cares to define these.

15. (C) Chaviano especially wants to travel with his wife to the U.S. to seek medical care. The immediate issue is urgently needed treatment for a tumor detected in his lungs in 2005. However, cardiac problems, developed in prison, could prove potentially lethal. He was hospitalized several times with heart problems, but ongoing diagnosis and treatment have been erratic and complicated by such things as a computer deletion of medical information. He has been offered treatment in the EU, Costa Rica and Puerto Rico, but prefers to receive care in a hospital in the mainland U.S. This would also afford him and his wife an opportunity to visit their three children and several grandchildren who reside in the Orlando, Florida area. His wife in fact had applied in early June for a visa to visit his children which is awaiting a Security Advisory Opinion. After treatment, they intend to return to Cuba.

16. (C) The conversation focused on Chaviano's well being and what was his desired plans for the immediate future. He did not touch much on political subjects. He, however, indicated that the provincial and municipal elections scheduled for October 20th, supposedly leading to a General Assembly election in 2008, are a potential positive development. He voiced interest in "testing" the regime by demanding registration of a yet to be corrected political party to compete against the official slate. He wants to discuss the idea with fellow human rights activists on the island. USINT made arrangements for ongoing contact.

17. (C) COMMENT. The immediate need is to see that this prominent dissident and courageous man receives appropriate medical attention, and that he and his long suffering wife

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have the opportunity to be reunited with their children. The Cuban government has obviously felt pressure to release some political prisoners using the pretext of humanitarian considerations due to health. Given the harsh conditions in Cuban jails, it is likely that anyone held for a significant time in prison will develop serious health problems. The dissident community and Chaviano himself see no indication that these releases show a diminishing of the harassment and abuse of those who disagree with the regime.
END COMMENT

PARMLY